

1 STEVEN H. GURNEE, ESQ. SB# 66056
2 JOHN A. MASON, ESQ.
3 GURNEE & DANIELS LLP
4 2240 Douglas Boulevard, Suite 150
5 Roseville, CA 95661-3805
6 Telephone (916) 797-3100
7 Facsimile (916) 797-3131

8
9 Attorneys for Defendants

10
11 SERVICE CORPORATION INTERNATIONAL,
12 SCI FUNERAL AND CEMETERY PURCHASING
13 COOPERATIVE, INC., SCI EASTERN MARKET
14 SUPPORT CENTER, L.P. SCI WESTERN MARKET
15 SUPPORT CENTER, L.P., SCI HOUSTON MARKET
16 SUPPORT CENTER, L.P., JANE D. JONES,
17 GWEN PETTEWAY, THOMAS RYAN, CURTIS BRIGGS,
18 ALDERWOODS GROUP, INC., and PAUL HOUSTON

19

20
21 UNITED STATES DISTRICT COURT
22
23 NORTHERN DISTRICT OF CALIFORNIA

24 CLAUDE BRYANT, et al., on behalf of) CASE NO. 3:08-CV-01190 SI
25 themselves and all other employees and former) CASE NO. 3:08-CV-01184 SI
26 employees similarly situated,)
27 Plaintiffs,) STIPULATION TO FILE DOCUMENT
vs.) UNDER SEAL; [PROPOSED] ORDER

28 SERVICE CORPORATION)
INTERNATIONAL et al.)
Defendants.)
vs.)
WILLIAM HELM, DEBORAH PRISE,)
HEATHER P. RADY, et al., on behalf of)
themselves and all other employees and former)
employees similarly situated,)

29 Plaintiffs,)
vs.)
STIPULATION TO FILE DOCUMENT UNDER SEAL; [PROPOSED] ORDER 1
Case No.: 3:08-CV-01190 SI;
Case No.: 3:08-CV-01184 SI

ALDERWOODS GROUP, INC., PAUL A.
HOUSTON, SERVICE CORPORATION
INTERNATIONAL, SCI FUNERAL AND
CEMETERY PURCHASING
COOPERATIVE, INC., SCI EASTERN
MARKET SUPPORT CENTER, L.P., SCI
WESTERN MARKET SUPPORT CENTER,
L.P., a/k/a SCI WESTERN MARKET
SUPPORT CENTER, INC., and SCI
HOUSTON MARKET SUPPORT CENTER,
L.P.

STIPULATION

Previously, Plaintiffs and Defendants agreed to, and the Court entered, a Stipulated Protective Order Pursuant to Fed. R. Civ. P. 26(C). (*Bryant* Docket No. 112; *Helm* Docket No. 124). That Protective Order, *inter alia*, set out a procedure permitting parties to designate certain discovery materials "CONFIDENTIAL." In response to discovery demands in this case, Defendants have designated certain documents "CONFIDENTIAL" pursuant to the Protective Order, and Plaintiffs have not currently challenged some of those designations.

Pursuant to Civil Local Rules 79-5 and 7-12, Plaintiffs and Defendants in these matters, through their undersigned counsel, hereby stipulate that in submitting Defendants' Reply in support of their pending motions to dismiss, Defendants may file under seal pursuant to the Protective Order the following documents, each of which has been designated "CONFIDENTIAL":

1. Defendants Service Corporation International, SCI Eastern Market Support Center, L.P., SCI Houston Market Support Center, L.P., Jane D. Jones, Gwen Petteway, Thomas Ryan and Curtis Briggs Reply in Support of Their Motion to Dismiss Complaint Pursuant to FRCP 12(B)(2) and FRCP 12(B)(6), which describes and quotes from materials Defendants have designated as "CONFIDENTIAL"
2. Defendants' Evidentiary Objections and Motion to Strike Portions of Plaintiffs' Consolidated Declaration of Sarah Cressman in Opposition to Defendants' Motions to Dismiss, for Partial Judgment on the Pleadings, and to Strike and Require a More Definite Statement and Motions for

STIPULATION TO FILE DOCUMENT UNDER SEAL; [PROPOSED] ORDER
Case No.: 3:08-CV-01190 SI;
Case No.: 3:08-CV-01184 SI

1 Stay and Award of Attorney Fees and Costs Pursuant to FRCP 41(d), which describes and quotes
2 from materials Defendants have designated as "CONFIDENTIAL"

3 **AGREED TO:**

4 /s/Annette Gifford

5 Annette Gifford
6 Thomas & Solomon LLP
7 693 East Avenue
8 Rochester, New York 14607
Telephone: (585) 272-0540

9 Attorneys for Plaintiffs

/s/Nicholas P. Forestiere

Nicholas P. Forestiere
Gurnee & Daniels LLP
2240 Douglas Blvd., Suite 150
Roseville, CA 95661
Telephone: (916) 797-3100

Attorneys for Defendants

10 **ORDER**

11 Pursuant to the Stipulation of counsel and good cause appearing, the Court hereby orders that, in submitting
12 Defendants' Reply in support of their pending motions to dismiss, Defendants may file under seal pursuant to the
13 Protective Order the following documents, each of which has been designated "CONFIDENTIAL" by Defendants:

- 14 1. Defendants Service Corporation International, SCI Eastern Market Support Center, L.P., SCI
15 Houston Market Support Center, L.P., Jane D. Jones, Gwen Petteway, Thomas Ryan and Curtis
16 Briggs Reply in Support of Their Motion to Dismiss Complaint Pursuant to FRCP 12(B)(2) and
17 FRCP 12(B)(6), which describes and quotes from materials Defendants have designated as
18 "CONFIDENTIAL"
- 19 2. Defendants' Evidentiary Objections and Motion to Strike Portions of Plaintiffs' Consolidated
20 Declaration of Sarah Cressman in Opposition to Defendants' Motions to Dismiss, for Partial
21 Judgment on the Pleadings, and to Strike and Require a More Definite Statement and Motions for
22 Stay and Award of Attorney Fees and Costs Pursuant to FRCP 41(d), which describes and quotes
23 from materials Defendants have designated as "CONFIDENTIAL"

24 IT IS SO ORDERED:



25
26 Honorable Susan Illston
27 United States District Court

28 STIPULATION TO FILE DOCUMENT UNDER SEAL; [PROPOSED] ORDER
Case No.: 3:08-CV-01190 SI;
Case No.: 3:08-CV-01184 SI